

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

ARTHREX INC.,,

Plaintiff,

-vs-

Case No. 2:11-cv-694-FtM-29SPC

PARCUS MEDICAL, LLC,

Defendant.

ORDER

This matter comes before the Court on Joint Motion for Leave to Meet by Telephone to Prepare Case Management Report (Doc. #28) filed on March 13, 2012. The parties move the court to allow the parties to meet telephonically to prepare the Case Management Report.

The use of telephonic hearings and conferences are encouraged by the Court where they are feasible. Fischer v. District School Bd. Of Collier County, 2010 WL 3522215 *1 (M.D. Fla. Sept. 7, 2010). Plaintiff's attorneys are located in Naples, Florida and Birmingham, Michigan. Defendant's attorneys are located in West Palm Beach, Florida and Boston, Massachusetts. The parties argue that requiring them to travel to Florida to prepare the Case Management Report would create undue hardship on them. A similar burden existed in Fischer where this court found that requiring a plaintiff to travel from Arizona to Florida to prepare a case management report constituted an undue hardship on the parties. Id. Because of this hardship, this court found a telephonic meeting feasible because it would reduce the hardship on the involved parties. Id. Allowing the parties in this action to meet via telephone would reduce the parties' hardships just as in Fischer. As such, the use of a telephonic will be granted.

Accordingly, it is now

ORDERED:

Joint Motion for Leave to Meet by Telephone to Prepare Case Management Report (Doc. #28) is **GRANTED**.

DONE AND ORDERED at Fort Myers, Florida, this 20th day of March, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record